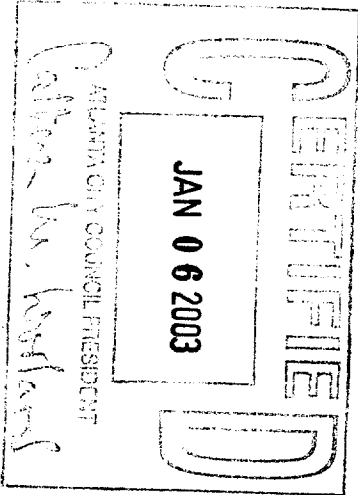


Entered - 11/01/02 - sb  
CL02L0783 - DIANNE C. MITCHELL

CLAIM OF: **RICHARD C. FREEMAN**  
5064 Roswell Road, NW  
B-202, Hardeman Square  
Atlanta, Georgia 30342

02-*R*-2150



For damages alleged to have been sustained as a result of unpaid attorney's fees due to termination of services in May, 2002.

THIS ADVERSED REPORT IS APPROVED

BY: *Rosalind Rubens Newell*  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

**CERTIFIED**  
JAN 06 2003  
*Rhonda Doughton Johnson*  
MUNICIPAL CLERK

ADVERSED BY  
CITY COUNCIL JAN 06 2003

## ADVERSE REPORT

COMM: \_\_\_\_\_

DATE: \_\_\_\_\_

CHAIR: \_\_\_\_\_

*Carla Smith*

*C. Tillman*

*Heidi Smith*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

January 14, 2003

Richard C. Freeman  
5064 Roswell Rd., NW  
B-202, Hardeman Square  
Atlanta, GA 39342

02-R-2150

Dear Mr. Freeman:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on January 6, 2003. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Sincerely,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: Claims Division/Law Department

**DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 02L0783

Date: November 22, 2002

Claimant /Victim RICHARD C. FREEMAN

BY: (Atty)(Ins. Co.) \_\_\_\_\_

Address: 5064 Roswell Road, NW, B-202, Hardeman Square, Atlanta, Georgia 30342

Subrogation: Claim for Property damage \$ 506,410.00 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 10/16/02 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence May, 2002 Place: 68 Mitchell Street, SW

Department Planning Division: \_\_\_\_\_

Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: The claimant alleges that he is entitled to payment of attorney's fees for work performed in connection with debtors who defaulted on their Business Improvement Loans. However, the claimant did not have a valid contract with the City and is not entitled to any compensation.

**INVESTIGATION:**

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report \_\_\_\_\_ Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

**BASIS OF RECOMMENDATION:**

Function: Governmental X Ministerial \_\_\_\_\_

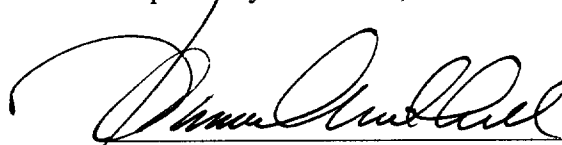
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other X Damages reasonable \_\_\_\_\_

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,



INVESTIGATOR - DIANNE C. MITCHELL

**RECOMMENDATION:**

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_ 2P01 \_\_\_\_\_

Claims Manager: Dianne C. Mitchell Concur/date 11-22-02

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

CONSENT I

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**1/06/03 Council Meeting**

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**ITEMS ADOPTED ON CONSENT  
AGENDA**

1. 02-O-2008
2. 02-O-2071
3. 02-O-2175
4. 02-O-2170
5. 02-O-2171
6. 02-O-2024
7. 02-O-2172
8. 02-R-2130
9. 02-R-2157
10. 02-R-2158
11. 02-R-2159
12. 02-R-2186
13. 02-R-1964
14. 02-R-1965
15. 02-R-2067
16. 02-R-2134
17. 02-R-2135
18. 02-R-2136
19. 02-R-2137
20. 02-R-2138
21. 02-R-2139
22. 02-R-2140
23. 02-R-2141

**ITEMS ADVERSE ON CONSENT  
AGENDA**

24. 02-R-2142
25. 02-R-2143
26. 02-R-2144
27. 02-R-2145
28. 02-R-2146
29. 02-R-2147
30. 02-R-2148
31. 02-R-2149
32. 02-R-2150
33. 02-R-2151
34. 02-R-2152
35. 02-R-2153
36. 02-R-2154
37. 02-R-2155
38. 02-R-2156

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Consent I Vote: 11Yeas; 0 Nays (See RCS #4344)

Items Removed from the Consent Agenda: 02-O-1853; 02-R-1770; 02-R-2007; 02-R-2056